

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Operating Engineers Local #49 Health and
Welfare Fund and central Pension Fund of the
International Union of Operating Engineers and
Participating Employers, et al.,

Civil No. 07-2574 (RHK/RLE)

ORDER

Plaintiffs,

vs.

Mesabi Bituminous, Inc.,

Defendant.

Pursuant to the parties' Stipulation (Doc. No. 5), **IT IS ORDERED** that this matter is
DISMISSED WITH PREJUDICE, without costs to the parties.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 27, 2007

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge